

Notice of Allowability

Application No.

09/867,546

Examiner

Michael J. Moore, Jr.

Applicant(s)

MEENAN, PATRICK

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Appeal Brief filed on 2/21/06.
2. ☒ The allowed claim(s) is/are 1-64.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In the Claims:

There are currently two claims numbered "62". Renumber the second claim "62" as claim "63".

Allowable Subject Matter

2. Claims **1-64** are allowed.

3. The following is an examiner's statement of reasons for allowance:

Regarding claim 1, *Chiles et al.* (U.S. 6,618,393) teaches a protocol server module located in a host device 10 that provides PPP packet header translation for communication with remote peers 12 through utilization of user provided address configuration information 56 as shown in Figure 2 and spoken of on columns 5 and 6.

Chiles et al. as well as the other prior art of record fail to teach a protocol server module located in a client device that terminates a communication session using a first protocol between a host system and the client, translates data packets between the first protocol and a second protocol, receives configuration data assigned by the host system, and transports packets having the second protocol using the provided configuration data. *Chiles et al.* as well as the other prior art of record also fail to teach

Art Unit: 2616

a controller module connected to the protocol server module within the client device that controls communications between the client device protocol stack, the protocol server module, and the host system.

Regarding claims **2-13, 57, and 58**, these claims are further limiting to claim **1** and are thus also allowable over the prior art of record.

Regarding claim **14**, *Chiles et al.* (U.S. 6,618,393) teaches a protocol server module located in a host device 10 that provides PPP packet header translation for communication with remote peers 12 through utilization of user provided address configuration information 56 as shown in Figure 2 and spoken of on columns 5 and 6.

Chiles et al. as well as the other prior art of record fail to teach a client device that terminates a communication session using a first protocol between a host system and the client, translates data packets between the first protocol and a second protocol, receives configuration data assigned by the host system, and transports packets having the second protocol using the provided configuration data.

Regarding claims **15-27, 59, and 60**, these claims are further limiting to claim **14** and are thus also allowable over the prior art of record.

Regarding claim **28**, *Chiles et al.* (U.S. 6,618,393) teaches a protocol server module located in a host device 10 that provides PPP packet header translation for communication with remote peers 12 through utilization of user provided address configuration information 56 as shown in Figure 2 and spoken of on columns 5 and 6.

Chiles et al. as well as the other prior art of record fail to teach a protocol server module located in a client device that terminates a communication session between a

Art Unit: 2616

host system and the client, receives configuration data assigned by the host system, and transports packets using one of several communication protocols using the provided configuration data. *Chiles et al.* as well as the other prior art of record also fail to teach a controller module connected to the protocol server module within the client device that controls communications between the client device protocol stack, the protocol server module, and the host system.

Regarding claims **29-41, 61, and 62**, these claims are further limiting to claim **28** and are thus also allowable over the prior art of record.

Regarding claim **42**, *Chiles et al.* (U.S. 6,618,393) teaches a protocol server module located in a host device 10 that provides PPP packet header translation for communication with remote peers 12 through utilization of user provided address configuration information 56 as shown in Figure 2 and spoken of on columns 5 and 6.

Chiles et al. as well as the other prior art of record fail to teach a client device that terminates a communication session between a host system and the client, receives configuration data assigned by the host system, and transports packets using one of several communication protocols using the provided configuration data.

Regarding claims **43-56, 62, and 64**, these claims are further limiting to claim **42** and are thus also allowable over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Arguments

4. Applicant's arguments, see Applicant's Appeal Brief filed 2/21/06, with respect to claims **1-64** as being obvious over *Chiles et al. in view of Rai et al.* (U.S. 6,577,643) have been fully considered and are persuasive. The rejections of claims **1-64** have been withdrawn.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Houston et al. (U.S. 6,778,541) as well as Bos et al. (U.S. 6,456,857) are additional references considered pertinent to this application.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Moore, Jr. whose telephone number is (571) 272-3168. The examiner can normally be reached on Monday-Friday (8:00am - 4:30pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema S. Rao can be reached at (571) 272-3174. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2616

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael J. Moore, Jr.
Examiner
Art Unit 2616

mjm MM

Seema S. Rao
SEEMA S. RAO 5/11/06
SUPERVISORY PATENT EXAMINER
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